

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

SEP 27 10 46 AM '83

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3 THE STEAMBOATERS, a nonprofit)
Oregon corporation, NICK)
4 MURPHY, and BILL LOGAN,)
5 Petitioners,)
6 v.)
7 BOARD OF COMMISSIONERS)
OF DOUGLAS COUNTY, OREGON)
8 Respondent.)

LUBA NO. 83-056

FINAL OPINION
AND ORDER

9 Appeals from Douglas County.

10 Allen L. Johnson
11 Bill Kloos
12 915 Oak Street
Suite 200
Eugene, OR 97401
13 Attorney for
Petitioners

Susan Quick
Ball, Janik & Novack
101 SW Main Street, Suite 1470
Portland, OR 97204

Attorney for
Respondents

14 Bagg, Board Member.

15 Dismissed

9/27/83

16 You are entitled to judicial review of this Order.
17 Judicial review is governed by the provisions of Oregon Laws
1979, ch 772, sec 6(a), as amended by Oregon Laws 1981, ch 748.
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1 BAGG, Board Member.

2 Respondent has filed a motion to dismiss on the ground the
3 petition for review was not filed within the 20 day statutory
4 time limit allowed in 1979 Or Laws, ch 772, sec 4, as amended.

5 Respondent also cites to the Board's Procedural Rule stating:

6 "Failure to file a petition for review within the time
7 required will result in dismissal of the appeal and
8 forfeiture of the filing fee and deposit for costs to
9 the governing body."

10 Petitioners make no response to this motion.

11 It is ordered this appeal is dismissed, and petitioners'
12 \$150 deposit for costs and \$50 filing fee shall be awarded to
13 Respondent Douglas County. Gordon v. Beaverton, 52 Or App 937,
14 630 P2d 366, aff'd 292 Or 228, 637 P2d 125 (1981).
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